



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

RESULTS OF MERRIMACK PLANNING BOARD

TUESDAY, AUGUST 18, 2015

Planning Board members present: Robert Best, Alastair Millns, Tom Mahon, Michael Redding (arrived 7:15 p.m.), Lynn Christensen (arrived 7:20 p.m.), Desirea Falt, and Alternates Nelson Disco and Jeff Sebring.

Staff present: Community Development Director Tim Thompson, Planning and Zoning Administrator Jillian Harris, Community Development Intern Emily Edwards, and Recording Secretary Zina Jordan.

1. Call to Order.

Robert Best called the meeting to order and designated Nelson Disco and Jeff Sebring to sit for Lynn Christensen and Michael Redding until their arrival, after which he designated Nelson Disco to sit for the vacant full member position.

2. Planning & Zoning Administrator's Report.

John J. Flatley Company (applicant/owner) – Review for acceptance and consideration of Final Approval of an application for a site plan to construct 240 multi-family residences, clubhouse, and associated parking and drainage improvements, per the requirements of the Flatley mixed use Conditional Use Permit. The parcels are located at # 645, 673, 685, 703 and 707 D.W. Highway in the I-1 (Industrial), Aquifer Conservation and Wellhead Protection Districts. Tax Map 6E, Lots 003-01, 003-03, 003-04, 003-05 & 003-06. **This item is continued from the June 16 and July 21, 2015 Planning Board meetings.**

At the applicant's request, the Board voted 6-0-0 to continue this item to September 1, 2015, in the Matthew Thornton Meeting Room, at 7:00 p.m., on a motion made by Alastair Millns and seconded by Desirea Falt.

The Board voted 6-0-0 to determine that the Pennichuck Water Works Subdivision and Pennichuck Water Works Site Plan are not of regional impact and that the City of Nashua be sent courtesy notification, on a motion made by Nelson Disco and seconded by Tom Mahon.

3. Public Hearing – Zoning Ordinance Amendments - Planning Board will conduct a public hearing to consider recommended amendments to Sections 1, 2, and 17 of the Merrimack Zoning Ordinance for regulation of Alternative Treatment Centers (for medical marijuana under NH RSA 126-X), pursuant to RSA 675:6 and 675:7.

There was no public comment.

The Board voted 6-0-0 to recommend to Town Council that the proposed Ordinance Amendments be adopted, with the changes recommended by staff on a motion made by Nelson Disco and seconded by Alastair Millns.

- 4. Brighter Horizons Environmental Corp. (applicant) and James E. Longa & Son, Inc. and James E. Longa Revocable Trust (owner)** – Review for consideration of an extension of the previously granted six-month extension to comply with conditions of an approval granted by the Planning Board on June 18, 2013 for a waiver of full site plan review for an application proposing partial reclamation of a sand and gravel pit located at 17 Twin Bridge Road in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 5D-1, Lot 010 and Tax Map 5D-4, Lot 074-01.

Michael Redding and Lynn Christensen arrived at 7:15 p.m. and 7:20 p.m., respectively.

Applicant was represented by: Attorney Roy Tilsley, Jr., Bernstein Shur.

There was no public comment.

The Board voted 4-2-1 to reinstate the June 18, 2013, conditional approval and to grant a six-month extension to February 18, 2016, on a motion made by Desirea Falt and seconded by Alastair Millns. Michael Redding and Nelson Disco voted in the negative; Tom Mahon abstained.

- 5. Madi Choueiri (applicant/owner)** – Review for acceptance and consideration of Final Approval for a waiver of full site plan review for a restaurant located at 480 D.W. Highway in the C-1 (Limited Commercial), Elderly and Town Center Overlay and Aquifer Conservation Districts. Tax Map 5D-3, Lot 046. **This agenda item is continued from the June 2, July 7, and August 4, 2015 Planning Board meetings.**

Desirea Falt recused herself from discussing and voting on this item.

Robert Best designated Jeff Sebring to sit for Desirea Falt.

Applicant was represented by: Desirea Falt, 21 Beebe Lane.

The Board voted 4-3-0 to accept the application for review, on a motion made by Alastair Millns and seconded by Jeff Sebring. Tom Mahon, Michael Redding and Nelson Disco voted in the negative.

The Board voted 4-3-0 to waive full site plan review, on a motion made by Lynn Christensen and seconded by Alastair Millns. Tom Mahon, Michael Redding and Nelson Disco voted in the negative.

There was no public comment.

The Board voted 7-0-0 to continue this item to September 15, 2015 in the Matthew Thornton Meeting Room, at 7:00 p.m., on a motion made by Alastair Millns and seconded by Lynn Christensen.

- 6. Discussion/possible action regarding other items of concern.**

Desirea Falt returned to the Board.

The Board voted 7-0-0 to release the \$100,535.24 Pearson Road Sewer Performance Bond, on a motion made by Alastair Millns and seconded by Lynn Christensen.

- 7. Approval of Minutes – August 4, 2015.**

The minutes of August 4, 2015, were approved as submitted, by a vote of 7-0-0, on a motion made by Lynn Christensen and seconded by Tom Mahon.

- 8. Adjourn.**

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August 18, 2015

The meeting adjourned at 8:18 p.m., by a vote of 7-0-0, on a motion made by Tom Mahon and seconded by Alastair Millns.